

AMENDED IN SENATE JUNE 23, 2010

AMENDED IN SENATE JUNE 15, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2279

Introduced by Assembly Member Evans

February 18, 2010

An act to add Section 11011.24 to the Government Code, relating to state property, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2279, as amended, Evans. Surplus state property: County of Napa.

Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature.

This bill would authorize the director to sell or exchange, at current fair market value, all or part of a specified parcel of state property to the County of Napa upon those terms, conditions, reservations and exceptions the director determines are in the best interest of the state, by January 1, 2015. The bill would require any agreement for the sale or exchange of the property to include a provision that requires the County of Napa to retain title to the property for use as a park or wilderness preserve, or in the event of a future sale of that property by the county, require the county, by recorded easement, to limit future uses of the property to a park or wilderness preserve. The bill would require that any agreement for the sale or exchange of the property preserve Napa State Hospital's ownership and use of a specified area known as Camp Coombs. The bill would also require reimbursement

of the Department of General Services for any cost or expense incurred in the disposition of the property from the proceeds of the disposition of the property. The bill would require the net proceeds of any moneys received from the disposition of the property to be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, a continuously appropriated fund, thereby resulting in an appropriation. The bill would permit the County of Napa to enter an agreement with a nonprofit land trust or nonprofit conservation entity for the purpose of sharing the cost associated with the sale or exchange authorized by this bill, provided all its other requirements are met.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Napa.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The Camp Coombs property ~~encompasses approximately~~
- 4 ~~115 acres and~~ is used for camping activities for the nonforensic
- 5 residents and individuals of Napa State Hospital.
- 6 (b) The Camp Coombs property provides a therapeutic and
- 7 natural environment in which the hospital's residents and
- 8 individuals enjoy barbecues, picnics, nature walks, and gardening
- 9 activities. It is also a vocational worksite where wood from fallen
- 10 trees is harvested and cut into firewood that is auctioned off, with
- 11 the proceeds used to sponsor activities for the hospital's residents
- 12 and individuals.
- 13 (c) Camp Coombs is an invaluable resource for providing the
- 14 residents and individuals of Napa State Hospital with the ability
- 15 to leave the confines of their living spaces and experience nature.
- 16 In addition, the hospital also makes Camp Coombs and its facilities
- 17 available, free of charge, to other community members such as the
- 18 Boy Scouts and the Girl Scouts. The Napa Valley Office of
- 19 Education leases and operates a Ropes Course located at Camp
- 20 Coombs that is utilized by the Napa School District for its students
- 21 to provide them with field trip opportunities to use the unique
- 22 obstacle rope course.

(d) The loss of Camp Coombs would have a significant impact on Napa State Hospital's ability to provide treatment to its nonforensic resident population.

(e) It is the intention of the County of Napa, in purchasing Skyline Park from the Department of General Services, to ensure that Napa State Hospital maintains ownership and usage of, and access to, the ~~approximately 115 acres of~~ land known as Camp Coombs as part of the Napa State Hospital campus.

(f) It is the intent of the Legislature that any final purchase agreement clearly state that the operations and activities at Camp Coombs shall remain unobstructed and unaffected by the sale, and that access to Camp Coombs be preserved through a recorded easement as part of the final sale agreement. It is further the intent of the Legislature that no sale agreement include in the land sold to the County of Napa the ~~approximately 115 acres~~ land known as Camp Coombs.

SEC. 2. Section 11011.24 is added to the Government Code, to read:

11011.24. (a) Except as provided in subdivisions (b) to (d), inclusive, the Director of General Services may sell or exchange at current fair market value to the County of Napa, upon those terms and conditions and subject to those reservations and exceptions the director determines are in the best interests of the state, all or any part of the following real property, by January 1, 2015, after which date, if not sold or exchanged, the property is no longer surplus:

Approximately 850 acres of property, currently leased to or controlled by the County of Napa as part of Skyline Park, located at the Napa State Hospital, 2100 Napa Vallejo Highway, Napa, in the County of Napa.

(b) Notwithstanding the terms and conditions negotiated pursuant to subdivision (a), in no event may the director sell or exchange the property identified in subdivision (a) at a value less than current fair market value.

(c) An agreement for the sale or exchange of the property identified in subdivision (a), pursuant to subdivisions (a) and (b), shall require the County of Napa to retain title to the entire property sold or exchanged for use as a park or wilderness preserve, or in the event of the future sale or exchange of that property by the County of Napa, shall require the County of Napa, by recorded

1 easement, to limit future uses of the property to a park or
2 wilderness preserve.

3 (d) An agreement for the sale or exchange of the property
4 identified in subdivision (a), pursuant to subdivisions (a) and (b),
5 shall preserve Napa State Hospital's ownership and use of the
6 ~~approximately 115 acres of the~~ property known as Camp Coombs,
7 that shall not be part of the sale or exchange of the property. An
8 agreement for the sale or exchange of the property shall include
9 an easement, that shall be recorded, that provides Napa State
10 Hospital with access to Camp Coombs.

11 (e) The Department of General Services shall be reimbursed
12 for any cost or expense incurred in the disposition of the property
13 described in subdivision (a) from the proceeds of the disposition.
14 The net proceeds of any moneys received from the disposition of
15 the property shall be paid into the Deficit Recovery Bond
16 Retirement Sinking Fund Subaccount, as established by subdivision
17 (f) of Section 20 of Article XVI of the California Constitution.

18 (f) The County of Napa may enter into an agreement with a
19 nonprofit land trust or nonprofit conservation entity for the purpose
20 of sharing the costs associated with making the sale or exchange
21 authorized by this section, provided that all the requirements of
22 this section, including, but not limited to, those of subdivision (c),
23 are met.

24 SEC. 3. The Legislature finds and declares that, because of the
25 unique circumstances applicable to the County of Napa, a statute
26 of general applicability cannot be enacted within the meaning of
27 subdivision (b) of Section 16 of Article IV of the California
28 Constitution. Therefore, this special statute is necessary.